

Entered - 11/17/99 - sb
CL99L0756 - ALEXIS HOLMES

CLAIM OF: **FRED P. AVATO**
4616 Roswell Road
Apt. X-4
Atlanta, Georgia 30342

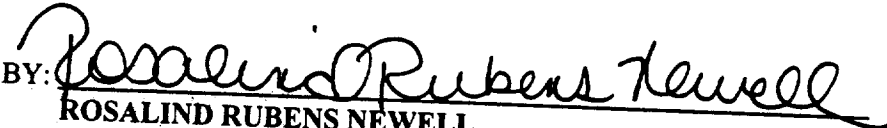
01- R-1812

For damages alleged to have been sustained as a result of vehicular damage due to a pothole on September 14, 1999 at 3345 Chatham Road, NW.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **FRED P. AVATO** the sum of **\$626.56** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of vehicular damage due to a pothole on September 14, 1999 at 3345 Chatham Road, NW as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0756

Date: October 24, 2001

Claimant /Victim FRED P. AVATO

BY: (Atty)(Ins. Co.)

Address: 4616 Roswell Road, Apt. X-4, Atlanta, Georgia 30342

Subrogation: Claim for Property damage \$ 696.56

Date of Notice: 10/27/99 Method: Written, proper X Bodily Injury \$

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X Improper

Date of Occurrence 09/14/99 Place: 3345 Chatham Road, NW

Department Public Works Division: Street Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant damaged his vehicle when he drove over a pothole in the roadway.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial X
Improper Notice More than Six Months Other Damages reasonable X
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ 696.56 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager: Concur/date 10-24-01
Committee Action: Council Action

10-27-99 10:15

Jordan

11/09/99

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK

City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

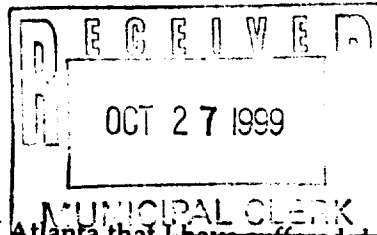
RE: CLAIM FOR DAMAGES

Today's Date:

9/28/99

ENTERED - 11-17-99 - SB
99L0756 - DOBBS JORDAN

Dear Municipal Clerk:



This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 978.00 property and/or \$ NONE bodily injury for which I contend the City is liable.

1. Date of incident: Sept. 14 1999
(month/day/year)
2. Police called: Yes ☒ No ☐
3. Location of incident: 3345 CHATHAM RD NW, IN BUCKHEAD
4. Name of your insurance company: ALLSTATE Policy No. _____
5. State what and how incident occurred: DRIVING ON CHATHAM
WHEN I STRUCK A POT HOLE, IN WHICH MY RT. FRONT
WHEEL WAS RIPPED AWAY FROM CAR.
6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
7. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).
Your vehicle: PONTIAC FIERO 1986 FRED P. AVATO
(make) (year) (tag number) (driver's name)
City vehicle: _____
(make) (City driver's name) (department/bureau)
8. Witness: _____
(name) (address) (telephone number)
9. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
10. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE
INFORMATION IS TRUE AND CORRECT.

FRED P. AVATO

(claimant's name)

4616 ROSWELL RD

(address)

ATLANTA GA. 30342

(city and state)

404/314-8685

(work number)

(home number)